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**UNITED STATES DISTRICT COURT**


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Southern District Of Texas McAllen Division

**UNITED STATES OF AMERICA****CRIMINAL COMPLAINT****vs.**

Case Number: 7:16-po-05226

Bernabe MERCADO-Cruz  
IAE A099 824 879  
Mexico 1984

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about December 21, 2016 in Hidalgo County, in the Southern District Of Texas defendant(s) did, **Being then and there an alien, did, knowingly and unlawfully enter the United States at a place other than as designated by immigration officers;**

in violation of Title 8 United States Code, Section(s) 1325(a)(1)  
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

**Bernabe MERCADO-Cruz was encountered by Border Patrol Agents near Hidalgo, Texas on December 21, 2016. When questioned as to his citizenship, defendant stated that he was a citizen and national of the United Mexican States, who had entered the United States illegally on December 21, 2016 by rafting across the Rio Grande River near the Hidalgo, Texas Port of Entry.**

**I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.**

Continued on the attached sheet and made a part of this complaint: ☐ Yes ☒ No

/S/ Armendariz Jr, Francisco Border Patrol Agent  
Signature of Complainant

Armendariz Jr, Francisco Border Patrol Agent  
Printed Name of Complainant

Sworn to before me and signed in my presence,

December 22, 2016  
Date

at McAllen, Texas  
City/State

Peter E Ormsby U.S. Magistrate Judge  
Name of Judge Title of Judge

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Signature of Judge